

FEDERAL ELECTION COMMISSION
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Washington, DC 20463

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This is the response to FEC Complaint number: MUR 6625

This complaint by Mr. Takach's wife Holly lacks merit and grasp of current law. The complaint filed by Mrs. Holly Takach is clearly that of an embittered wife of a defeated candidate making petty charges.

In fact, all campaign literature by Mr. Stockman included proper disclaimers, "Paid for by Friends of Congressman Steve Stockman."

It is unclear from the complaint what law or regulation is alleged to have been violated. While the complaint makes references to "not enclosed in a printed box as required," no source or citation for this rule is given.

Without a citation to the law or regulation that is alleged to have been violated, we are not able to determine whether we have complied with the law or regulation, or even what the law or regulation is. The only citation or reference given is "11 CFR." "11 CFR" is "Title 11: Federal Elections" in its entirety, containing two chapters with multiple parts and subchapters.

In fact, 11 CFR 111.4(d) (3) states that complaints "should contain a clear and concise recitation of the facts which describe a violation of a statute or regulation." Without a clear reference to what law or specific regulation is alleged to have been violated, it is impossible to produce a clear and concise recitation of the facts describing a violation of it.

1. In re "Southeast Texas Courier" dated July 22, 2012: The disclaimer "Paid for by Friends of Steve Stockman" is clearly printed on the document. The disclaimer is not in a box.

2. In re "Times Free Press Vol 6": The disclaimer "Paid for by Friends of Steve Stockman" is clearly printed on the document. The disclaimer is not in a box.

3. In re "Times Free Press Vol 7": The disclaimer "Paid for by Friends of Steve Stockman" is clearly printed on the document. The disclaimer is not in a box.

In each case, the disclaimer is 'clear and conspicuous.' It is openly displayed at the bottom of the back page of the newspaper and readable without opening the newspaper. The font is the same size and type of other text on the same page, in particular the slogan, "Abortion stops a beating heart," near the top of the page and as large or larger than the text of the slogan, "The common sense gun lobby." Any reasonable person would know

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that the slogans "Abortion stops a beating heart" and "The common sense gun lobby" are intended to be clear, conspicuous and easily readable by the publisher of the material, thus any writing in that font or similar, namely the disclaimer, is 'clear, conspicuous and easily readable.'

4. In re "Texas Republican News" with the headline "Congressman Stockman surges to lead: The disclaimer "Paid for by Friends of Steve Stockman" is clearly printed on the document. The disclaimer is not in a box.
5. In re letter dated July 27, 2012: The disclaimer "Paid for by Friends of Steve Stockman" is on the document. The disclaimer is not in a box.
6. In re letter dated July 26, 2012: The disclaimer "Paid for by Friends of Steve Stockman" is on the document. The disclaimer is not in a box.
7. In re letter dated July 27, 2012: The disclaimer "Paid for by Friends of Steve Stockman" is on the document. The disclaimer is not in a box.
8. In re letter dated July 27, 2012: The disclaimer "Paid for by Friends of Steve Stockman" is on the document. The disclaimer is not in a box.
9. In re letter dated July 27, 2012: The disclaimer "Paid for by Friends of Steve Stockman" is on the document. The disclaimer is not in a box.
10. In re letter dated July, 2012: The disclaimer "Paid for by Friends of Steve Stockman" is on the document. The disclaimer is not in a box.

In summary, we believe no FEC action should be taken against a party on the basis of a complaint which does not conform to the provisions of 11 CFR 111.4(d) and which lacks a clear reference to the law or regulation the complaint alleges has been violated. Rather, the charge should be dismissed as trivial.

cc: William Olson, esq

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